



213202.00354

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: M. Wallenhorst
James SAMSOONDAR	)	
	:	Group Art Unit: 1743
Application No.: 10/023,869	)	
	:	
Filed: December 21, 2001	)	
	:	
For: QUALITY CONTROL MATERIAL FOR	)	
REAGENTLESS MEASUREMENT	:	
OF ANALYTES	)	

Box Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Your petitioner, SPECTROMEDICAL INC., a Canadian corporation having a principal place of business at 40 Hilborn Avenue, Cambridge, Ontario Canada N1T 1M7, and duly represented by the undersigned, represents that it is the assignee of the full title and interest in and to: (i) the above-identified Application No. 10/023,869, filed December 21, 2001; and (ii) U.S. Patent No. 6,372,503, as evidenced by the deed of Assignment recorded at Reel No. 013945/Frame No. 0520, which is attached hereto.

Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of any of U.S. Patent No. 6,372,503, as presently shortened by

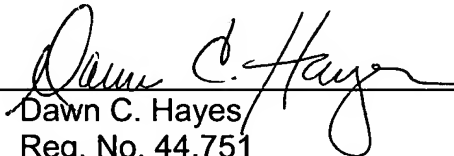
any terminal disclaimers, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,372,503, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent Nos. 6,372,503, as presently shortened by any terminal disclaimer, in the event that subsequent hereto any of U.S. Patent Nos. 6,372,503 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is the subject of any disclaimer under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The evidentiary documents referred to in the instant Terminal Disclaimer have been reviewed by the undersigned, and it is certified that to the best of assignee's knowledge and belief, title is in the assignee.

The undersigned is empowered to act on behalf of the assignee.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1710 in the amount of \$110.00 for the Terminal Disclaimer fee. A copy of this paper is attached herewith for that purpose.

By:   
Dawn C. Hayes  
Reg. No. 44,751  
Attorney For Applicants

Date: March 26, 2004



PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110.00

**Complete if Known**

Application Number	10/023,869
Filing Date	12/21/2001
First Named Inventor	James SAMSOONDAR
Examiner Name	Maureen Wallenhorst
Group Art Unit	1743
Attorney Docket No.	213202.00354

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit  
Account  
Number

50-1710

Deposit  
Account  
Name

KATTEN MUCHIN ZAVIS ROSENMAN

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	0.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
90	99** = 0	9.00	0.00
1	18** = 0	42.00	0.00
Multiple Dependent		0.00	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**Large EntitySmall Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840	1805	1,840*	Requesting publication of SIR after Examiner action	
2251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	1254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) <b>TERMINAL DISCLAIMER</b>					110.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 110.00

**SUBMITTED BY**

Name (Print/Type)	Dawn G. Hayes	Registration No. (Attorney/Agent)	44,751	Telephone	(202) 625-3500
Signature		Date	03/26/2004		

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